

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Use of Returned Spectrum in the)	IB Docket Nos. 05-220 and 05-221
2 GHz Mobile Satellite Service)	
Frequency Bands)	

To: The Commission

**COMMENTS OF CTIA – THE WIRELESS ASSOCIATION®
IN SUPPORT OF THE PETITIONS FOR RECONSIDERATION**

CTIA – The Wireless Association® (“CTIA”)¹ respectfully submits these comments in support of the petitions for reconsideration filed by Inmarsat Ventures Limited and Inmarsat Global Limited (together, “Inmarsat”) and Globalstar LLC (“Globalstar”)² in opposition to the Commission’s December 9, 2005 *2 GHz Order* giving 24 MHz of unassigned spectrum in the 2 GHz band to TMI Communications and Company Limited Partnership (“TMI”) and ICO Satellite Services (“ICO”).³

I. INTRODUCTION AND BACKGROUND

CTIA opposed the grant of additional spectrum to TMI and ICO in the underlying proceedings, demonstrating that TMI and ICO failed to show any need for additional spectrum,

¹ CTIA – The Wireless Association® (formerly known as the Cellular Telecommunications & Internet Association) is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the organization covers Commercial Mobile Radio Service (“CMRS”) providers and manufacturers, including cellular, broadband PCS, and ESMR, as well as providers and manufacturers of wireless data services and products.

² Consolidated Petition for Reconsideration of Inmarsat Ventures Limited and Inmarsat Global Limited, IB Docket Nos. 05-220 and 05-221 (filed Jan. 9, 2006) (“Inmarsat Petition”); Petition of Globalstar for Reconsideration, IB Docket Nos. 05-220 and 05-221 (filed Jan. 9, 2006) (“Globalstar Petition”).

³ See *Use of Returned Spectrum in the 2 GHz Mobile Satellite Service Frequency Bands*, Order, FCC 05-204 (rel. Dec. 9, 2005) (“*2 GHz Order*”); see also *Petitions for Reconsideration of Action in Rulemaking Proceeding*, Public Notice, Rep. No. 2752 (rel. Jan. 23, 2006).

let alone for their satellite offerings.⁴ CTIA urged the Commission to commence a rulemaking to consider the best use of the unassigned spectrum for the benefit of the public – not just these two private entities.

The *2 GHz Order*, however, gave the 24 MHz of spectrum to TMI and ICO. Although the decision increased TMI's and ICO's spectrum holdings 250 percent, it contained no justification for why either company *needs* the additional spectrum. Indeed, the decision expressly rejected any spectrum management assessment in granting the additional spectrum to these two entities.⁵ Instead, it largely relied on the generalized public interest finding that more spectrum “will facilitate ICO's and TMI's provision of public safety and rural broadband services.”⁶

CTIA agrees with Inmarsat and Globalstar that the assignment of spectrum should be reconsidered. Inmarsat and Globalstar amply demonstrate that the *2 GHz Order* did not make any findings regarding whether ICO and TMI need the additional spectrum to provide the public benefits. Spectrum was assigned without any spectrum management consideration, notwithstanding the significant interest in this spectrum as reflected in its value and the wide

⁴ Comments of CTIA - The Wireless AssociationTM, IB Docket No. 05-220 (filed July 13, 2005) (“CTIA July 13, 2005 Comments”); Reply Comments of CTIA - The Wireless AssociationTM, IB Docket No. 05-220 (filed July 25, 2005); Comments of CTIA - The Wireless AssociationTM, IB Docket No. 05-221 (filed July 29, 2005) (“CTIA July 29, 2005 Comments”); Reply Comments of CTIA - The Wireless AssociationTM, IB Docket No. 05-221 (filed Aug. 15, 2005) (“CTIA Aug. 15, 2005 Reply Comments”).

⁵ The *2 GHz Order* stated that “commenters who question ICO's and TMI's need for more spectrum are licensed to operate on significantly more spectrum than we assign to ICO and TMI as a result of this decision. Thus, to the extent that demonstrating a need for spectrum is relevant, it is at best unclear whether those commenters would be able to show that they have a greater need for the spectrum at issue here than ICO and TMI.” *2 GHz Order* at ¶ 41 n.115 (citations omitted). This comparison is inapt. First, with access to 180 MHz of CMRS spectrum, CMRS licensees in the United States provide service to an estimated 203 million U.S. wireless subscribers, an industry wide mark of more than 1 million subscribers per MHz of spectrum nationwide. CMRS licensees are among the most efficient spectrum users in the world. Second, a CMRS licensee can add to its spectrum holdings in only two ways: by auction or the secondary market. Either way, market forces discipline whether a licensee may acquire more spectrum. This market-based access to spectrum stands in stark contrast to the circumstances here, where TMI and ICO acquired the spectrum for free. TMI and ICO did not need to justify spectrum acquisition costs, and the *2 GHz Order* found no need to make a public interest showing of spectrum need.

⁶ *Id.* at ¶ 1.

array of parties opposing the grant of additional spectrum to TMI and ICO.⁷ CTIA, therefore, submits these comments in support of the petitions

II. PETITIONERS DEMONSTRATE THAT TMI AND ICO FAILED TO JUSTIFY ANY NEED FOR ADDITIONAL SPECTRUM

As Globalstar states, the *2 GHz Order* constitutes “an unjustified spectrum windfall”⁸ that is, as Inmarsat finds, “neither supported by the record nor adequately justified.”⁹ Indeed, the decision to give away 24 MHz of spectrum to these two private entities is bereft of any spectrum-based assessment and is inconsistent with the Commission’s spectrum management responsibilities. Under these circumstances, the public interest in ensuring the best and most efficient use of scarce spectrum commands more than a bare “more is better” finding when valuable spectrum rights are at stake.

The *2 GHz Order* gave TMI and ICO additional spectrum in large part to facilitate public safety and rural broadband services, but failed to assess whether these two entities need additional spectrum to provide these services or whether they would use the additional spectrum in an efficient or effective manner. Chairman Martin’s *FCC Strategic Plan 2006-2011* sets forth a “vision” for spectrum consistent with the Commission’s long-standing role as the nation’s spectrum manager: “The Commission must facilitate efficient and effective use of non-federal spectrum domestically and internationally to promote the growth and rapid deployment of

⁷ CTIA wishes to clarify that the *2 GHz Order* was misguided in claiming that CTIA argued “the spectrum at issue should be subject to auction because such an auction would be likely to generate a great deal of revenue.” *Id.* at ¶ 61 (citing CTIA July 13, 2005 Comments at 3-4). Rather, CTIA argued “[t]he demand for this spectrum is significant” – and the fact that “it would likely be worth billions in auction revenue” serves as an indicia of the significant interest in this spectrum. CTIA July 13, 2005 Comments at 3. CTIA did not suggest an auction in order to generate revenue, but stated, “[g]iven the significant (and conflicting) demand for this unassigned spectrum, principles of sound spectrum management dictate that the FCC should not engage in a presumptive, piecemeal giveaway following an abbreviated comment cycle.” *Id.* at 4. CTIA urged the Commission to reallocate the spectrum for terrestrial use and auction it given that TMI and ICO were seeking it for terrestrial use.

⁸ Globalstar Petition at 16.

⁹ Inmarsat Petition at 2.

innovative and efficient communications technologies and services.”¹⁰ With respect to the 2 GHz MSS spectrum in particular, the Commission noted previously its “continuing spectrum management obligations to ensure that the spectrum is used efficiently and effectively.”¹¹ The 2 GHz Order, however, does not attempt to pursue the goals of efficient and effective spectrum use. Instead, it represents a troubling precedent, as CTIA forewarned, in that ICO and TMI have been permitted to “acquire more spectrum for free simply by associating their requests with important public interest goals – without any obligation to show that additional spectrum is actually *needed* to achieve them.”¹²

As Inmarsat correctly observes, the FCC “expressly disregarded” each of TMI’s spectrum arguments asserting the need for more spectrum.¹³ Remarkably, the 2 GHz Order stated:

In deciding to increase ICO’s and TMI’s spectrum assignments, we place no weight on a number of TMI’s arguments, including whether additional spectrum would create “efficiencies” by allowing TMI to take full advantage of increased power on its satellite, or economies of scale in handset production. We also do not rely on contentions that TMI needs additional spectrum to deploy a network using ATC, or provide state-of-the-art air interfaces. Accordingly, we need not address any other party’s criticism of these contentions.¹⁴

¹⁰ Federal Communications Commission, Strategic Plan 2006-2011, at 10 (rel. Sept. 30, 2005), *available at* <http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-261434A1.pdf>. These spectrum management obligations derive in part from Section 303(g) of the Communications Act, which directs the Commission to “encourage the larger and more effective use of radio in the public interest.” 47 U.S.C. § 303(g); *see also Improving Public Safety Communications in the 800 MHz Band*, Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order, 19 FCC Rcd 14969, 15013 (2004) (referring to the Commission’s “statutory duties as spectrum manager”).

¹¹ *Amendment of Part 2 of the Commission’s Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems*, Third Report and Order, Third Notice of Proposed Rulemaking and Second Memorandum Opinion and Order, 18 FCC Rcd 2223, 2238 (2003).

¹² CTIA July 29, 2005 Comments at 5 (emphasis in original).

¹³ *See* Inmarsat Petition at 9-10.

¹⁴ 2 GHz Order at ¶ 42 n.116 (citation omitted). In response to TMI’s pleadings that primarily argued for more spectrum to provide ATC, CTIA argued that in that event the Commission should reallocate and auction it for terrestrial use. Ultimately, the Commission concluded, “we are not reaching the issue of whether ICO and TMI need additional spectrum to provide ATC, as they claim.” 2 GHz Order at ¶ 28 n.76; *see also id.* at ¶ 42 n.116.

The 2 GHz Order instead embraced ICO's claim that it "is not required to provide a technical or otherwise compelling showing of need for additional spectrum."¹⁵ The decision asserted "we see no reason to attempt to quantify either TMI's or ICO's individual spectrum needs at this time, or to tie our spectrum authorization decisions here to such assessments."¹⁶ But, as Inmarsat and Globalstar repeatedly point out, it failed to make any assessment of whether the grant of additional spectrum is needed. To that end, it did not address the most relevant case in the underlying record: the *Big LEO* spectrum redistribution rulemaking.¹⁷ In 2004, the Commission modified the license of MSS provider Iridium to provide it with access to *additional* spectrum, but only after seeking "detailed comment regarding its actual current spectrum use and *substantiated projections of its future spectrum requirements*."¹⁸ The fact that TMI and ICO are not operational did not relieve the FCC from the burden of assessing whether the spectrum grant would result in an efficient or effective use of the spectrum or whether the record substantiated a need for additional spectrum.

III. PETITIONERS SHOW THAT THE 2 GHz ORDER OVERSTATED THE PUBLIC SAFETY AND RURAL BROADBAND BENEFITS THAT WOULD ACCRUE FROM THE SPECTRUM GIVEAWAY

The 2 GHz Order concluded that grant of the additional spectrum to TMI and ICO "would further the public interest by better enabling them to provide crucial communications services during times of national emergencies, and to offer rural broadband services."¹⁹ As the petitions for reconsideration establish, however, "there is *no* analysis in the 2 GHz Order, nor

¹⁵ Reply Comments of ICO Satellite Services G.P., IB Docket No. 05-220, at 10 (filed July 25, 2005).

¹⁶ 2 GHz Order at ¶ 42.

¹⁷ See *Review of Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit MSS Systems in the 1.6/2.4 GHz Bands*, Notice of Proposed Rulemaking, 18 FCC Rcd 1962 (2003) ("*Big LEO NPRM*") (cited in CTIA July 13, 2005 Comments at 9-10, 15; CTIA July 29, 2005 Comments at 5 n.17, 12 n.58; CTIA Aug. 15, 2005 Reply Comments at 6 n.26).

¹⁸ *Big Leo NPRM*, 19 FCC Rcd at 2089-90 (emphasis added). This included "the demand of Iridium customers for spectrum," "how many subscribers Iridium plans to support" and "how efficiently Iridium is using its current spectrum." *Id.*

¹⁹ 2 GHz Order at ¶ 26.

any demonstration in the record, how increasing TMI's and ICO spectrum assignments 250 percent would benefit first responders."²⁰ "Equally unsubstantiated" is the finding that grant of the spectrum to TMI and ICO "will benefit rural and unserved areas."²¹

The Commission refuted the claims in the record regarding this lack of convincing evidence related to public safety as follows:

Although CTIA and Sprint question whether ICO and TMI have adequately explained how increasing their spectrum assignments will help them provide service in times of national emergency, we find the first responders' assessment of their MSS needs to be compelling in this regard.²²

The Commission relies entirely on letters from public safety agencies – "brief and virtually identical" according to Inmarsat – that provide "no rationale or data to support dividing the band" between ICO and TMI.²³ Nothing in the letters suggests why TMI and ICO need more spectrum to provide public safety-related services or why they could not otherwise provide such services with their existing spectrum assignments.²⁴ Indeed, although the *2 GHz Order* and its accompanying news release touted the public safety benefits of the decision, nowhere are TMI and ICO obligated to provide service to further public safety agencies' needs.²⁵

Similarly, the Commission concludes that the spectrum grant will aid rural broadband – but there is no evidentiary support for this finding. As Globalstar readily acknowledges, "there is absolutely no requirement in the Commission's existing 2 GHz MSS rules that TMI and ICO serve any of these areas."²⁶

²⁰ Inmarsat Petition at 9 (emphasis in original).

²¹ Globalstar Petition at 9.

²² *2 GHz Order* at ¶ 28 (citations omitted).

²³ Inmarsat Petition at 10.

²⁴ *Id.*

²⁵ See News Release, Federal Communications Commission, *FCC Spectrum Assignment Boosts 2 GHz MSS Operators' Ability to Provide Public Safety Services* (rel. Dec. 9, 2005).

²⁶ Globalstar Petition at 9.

Ultimately, the end result is a decision to increase two entities' spectrum holdings 250 percent "with no justification for why this particular amount of spectrum is needed to provide these benefits."²⁷ The *2 GHz Order* did not represent the exercise of sound spectrum management judgment.

IV. CONCLUSION

In light of the above, the FCC should reconsider this unwarranted – and unjustified – spectrum giveaway.

Respectfully submitted,

/s/ Christopher Guttman-McCabe

CTIA – THE WIRELESS ASSOCIATION[®]

1400 16th Street, NW Suite 600
Washington, D.C. 20036
(202) 785-0081

Michael F. Altschul
Senior Vice President, General Counsel

Christopher Guttman-McCabe
Vice President, Regulatory Policy

Its Attorneys

February 16, 2006

²⁷ Inmarsat Petition at 14.

CERTIFICATE OF SERVICE

I, Donna M. Crichlow, hereby certify that on February 16, 2006, I caused to be served a copy of the foregoing Comments in Support of the Petitions for Reconsideration by first-class U.S. mail (unless otherwise indicated) upon the following:

Emily Willeford
Deputy Chief of Staff and Advisor
to Chairman Kevin Martin
Federal Communications Commission
445 – 12th Street, SW, Room 8-B201
Washington, DC 20554
By Hand Delivery

Fred Campbell
Legal Advisor to Chairman Martin
Federal Communications Commission
445 – 12th Street, SW, Room 8-B201
Washington, DC 20554
By Hand Delivery

John Giusti
Legal Advisor to Commissioner Copps
Federal Communications Commission
445 – 12th Street, SW, Room 8-A302
Washington, DC 20554
By Hand Delivery

Barry Ohlson
Legal Advisor to Commissioner Adelstein
Federal Communications Commission
445 – 12th Street, SW, Room 8-C302
Washington, DC 20554
By Hand Delivery

Aaron Goldberger
Legal Advisor to Deborah Taylor Tate
Federal Communications Commission
445 – 12th Street, SW, Room 8-A204
Washington, DC 20554
By Hand Delivery

Donald Abelson
Chief, International Bureau
Federal Communications Commission
445 – 12th Street, SW, Room 6-C750
Washington, DC 20554
By Hand Delivery

Roderick Porter
Deputy Bureau Chief, International Bureau
Federal Communications Commission
445 – 12th Street, SW, Room 6-C752
Washington, DC 20554
By Hand Delivery

Samuel Feder
Acting General Counsel
Federal Communications Commission
445 – 12th Street, SW, Room 8-C758
Washington, DC 20554
By Hand Delivery

Gardner Foster
Legal Advisor, International Bureau
Federal Communications Commission
445 – 12th Street, SW, Room 6-C477
Washington, DC 20554
By Hand Delivery

Fern Jarmulnek
Deputy Chief
Satellite Division, International Bureau
Federal Communications Commission
445 – 12th Street, SW, Room 6-A760
Washington, DC 20554
By Hand Delivery

Steve Spaeth
Assistant Division Chief
Satellite Division, International Bureau
Federal Communications Commission
445 – 12th Street, SW, Room 6-C477
Washington, DC 20554
By Hand Delivery

Richard Engelman
Chief Engineer, International Bureau
Federal Communications Commission
445 – 12th Street, SW, Room 6-C475
Washington, DC 20554
By Hand Delivery

Cassandra Thomas
Acting Chief
Satellite Division, International Division
Federal Communications Commission
445 – 12th Street, SW, Room 6-A666
Washington, DC 20554
By Hand Delivery

Karl Kensinger
Associate Division Chief
Satellite Division, International Bureau
Federal Communications Commission
445 – 12th Street, SW, Room 6-A663
Washington, DC 20554
By Hand Delivery

William Bell
Policy Branch, Satellite Division
International Division
Federal Communications Commission
445 – 12th Street, SW, Room 6-B505
Washington, DC 20554
By Hand Delivery

Dale Branlund
Chief Technical Officer
BRN Phoenix, Inc.
329 N. Bernardo Avenue
Mountain View, CA 94043

Loren Leman
Chairman
Aerospace States Association
2200 Wilson Boulevard, Suite 102-249
Arlington, VA 22209

William T. Lake
Wilmer Cutler Pickering Hale & Dorr
2445 M Street, NW
Washington, DC 20037
Counsel for Globalstar, LLC

Nils Rydbeck, MSEE, PhD, Professor
Rydbeck Consulting
943 Flagship Drive
Summerland Key, FL 33042

Thomas J. Sugrue
Kathleen O'Brien Ham
Robert A. Calaff
T-Mobile USA, Inc.
401 Ninth Street, NW, Suite 550
Washington, DC 20004

Thomas Clemons
President
Alaska Association of Chiefs of Police
P.O. Box 167
Seward, AK 99664

Suzanne Hutchings-Malloy
ICO Satellite Services, G.P.
2000 Pennsylvania Avenue, NW
Suite 4400
Washington, DC 20006

Kelin N. Kasler
Amy E. Bender
Jennifer D. Hindin
Carl R. Frank
Wiley Rein & Fielding
1776 K Street, NW
Washington, DC 20006
Counsel for Sirius Satellite Radio, Inc.

Carol L. Tacker
J.R. Carbonell
Cingular Wireless, LLC
5565 Glenridge Connector
Suite 1700
Atlanta, GA 30342

Peter Pitsch
Marjorie J. Dickman
Intel Government Affairs
Intel Corporation
1634 I Street, NW, Suite 300
Washington, DC 20006

Dennis J. Burnett
Vice President
EADS North America Defense Company
1616 North Fort Myer Drive
Suite 1500
Arlington, VA 22209

Gregory C. Staple
Vinson & Elkins
1455 Pennsylvania Avenue, NW
Washington, DC 20004
*Counsel for TMI Communications and
Company Limited Partnership*

Oliver Badard
Vice President
Alcatel North America
11600 America Dream Way, 9th Floor
Reston, VA 20193

Thomas M. Walsh
Spectrum Planning & Regulation
The Boeing Company – IDS/S&IS
Satellite Development Center
P.O. Box 92919
M/C W-S10-S343
Los Angeles, CA 90009-2919

Andrew Tang
Director, Wireless Systems Analysis
Broadband Wireless Division
Intel Corporation
1634 I Street, NW, Suite 300
Washington, DC 20006

Matthew S. DelNero
Kurt A. Wimmer
Jonathan D. Blake
Covington & Burling
1201 Pennsylvania Avenue, NW
Washington, DC 20004
Counsel for TerreStar Networks, Inc.

Wayne V. Black
Keller & Heckman, LLP
1001 G Street, NW, Suite 500 West
Washington, DC 20001
Counsel for American Petroleum Institute

Bruce A. Olcott
Joseph P. Markowski
Squire, Sanders & Dempsey, LLP
1201 Pennsylvania Avenue, NW
P.O. Box 407
Washington, DC 20044-0407
Counsel for The Boeing Company

Henry Ruhwiedel
Ruhwiedel
5317 W. 133rd
Crown Point, IN 46307

Chief Dan Flynn
Savannah Chatham Metropolitan Police
P.O. Box 8032
Savannah, GA 31412

Gerald C. Musarra
Vice President, Trade & Regulatory Affairs
Lockheed Martin Corporation
1500 Crystal Drive, Suite 300
Arlington, VA 22202

Carl Hofferberth
Microwave Circuits, Inc.
1611 Kemper Street
Lynchburg, VA 24501

David A. Cavossa
Executive Director
Satellite Industry Association
1730 M Street, NW, Suite 600
Washington, DC 20036

Fred Fellmeth, Esq.
777 American Drive
Bensalem, PA 19020
Counsel for Total RF Marketing, Inc.

George Y. Wheeler, Esq.
Holland & Knight, LLP
2099 Pennsylvania Avenue, NW, Suite 100
Washington, DC 20006
Counsel for United States Cellular Corp.

Chief Joseph G. Estey
President
International Association of Chiefs of Police
422 Winthrop Drive
Ithaca, NY 14850-1739

Raymond G. Bender, Jr.
John S. Logan
Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, NW, Suite 800
Washington, DC 20036
Counsel for Hughes Network Systems, LLC

Laurence D. Atlas
Loral Space & Communications
1421 Jefferson Davis Highway, Suite 810
Arlington, VA 22202-3290

Larry Hatch
Advanced Manufacturing Technology, Inc.
28 Millrace Drive
Lynchburg, VA 24501

Christopher D. Imlay
General Counsel
Society of Broadcast Engineers, Inc.
c/o Booth, Freret, Imlay & Tepper
14356 Cape May Road
Silver Spring, MD 20904

James R. Jenkins
Vice President, Legal & External Affairs
United States Cellular Corporation
8410 West Bryn Mawr
Chicago, IL 60631

Bert W. King
24 Jones Avenue
Greenville, SC 29601-4332

Chief Harold L. Hurt
President
Major Cities Chiefs Association
422 Winthrop Drive
Ithaca, NY 14850-1739

Sheriff James A. Karnes
President
Major County Sheriffs' Association
422 Winthrop Drive
Ithaca, NY 14850-1739

William K. Coulter, Esq.
Coudert Brothers, LLP
1627 I Street, NW, Suite 1200
Washington, DC 20006
*Counsel for Mobile Satellite Users
Association*

Aarti Holla-Maini
Secretary General
European Satellite Operators Association
Brussels, BELGIUM, DC 01040

Lawrence R. Krevor
Vice President, Spectrum Strategy
Sprint Nextel Corporation
2001 Edmund Halley Drive
Reston, VA 20191

Jill M. Lyon
Vice President and General Counsel
United Telecom Council
1901 Pennsylvania Avenue, NW
Fifth Floor
Washington, DC 20006

Kenneth L. Morckel
Director
Ohio Department of Public Safety
1970 West Broad Street
P.O. Box 182081
Columbus, OH 43218-2081

Cecelia Bernier
Town Manager
P.O. Drawer 669
Windermere, FL 34786

Sheriff Ted Sexton
President
National Sheriffs' Association
422 Winthrop Drive
Ithaca, NY 14850-1739

Kumar Singarajah
Chairman
Satellite Action Plan Regulatory Group
Brussels, BELGIUM, DC 01040

R. Edward Price
Robert A. Mazer, Esq.
Vinson & Elkins, LLP
1455 Pennsylvania Avenue, NW
Washington, DC 20004-1008
Counsel for SkyTerra Communications, Inc.

Robert S. Foosaner
Trey Hanbury
Sprint Nextel Corporation
2001 Edmund Halley Drive
Reston, VA 20191

Lee Cobb
Executive Director
Virginia's Region 2002 Economic
Development Council
P.O. Box 937
Lynchburg, VA 24505

Lester B. Baird, Sr.
County Administrator
Hendry County, Florida
P.O. Box 2340
LaBelle, FL 33975-2340

Sheriff Robert J. McCabe
Norfolk Sheriff's Office
811 E. City Hall Avenue
Norfolk, VA 23510

Carlton Stallings
President
Georgia Fraternal Order of Police
772 Maddox Drive
Suite 104
Ellijay, GA 30540

Chief A.M. Jacocks, Jr.
Chief of Police
Building 11, Municipal Center
2509 Princess Anne Road
Virginia Beach, VA 23456

Diane J. Cornell
Vice President, Government Affairs
Inmarsat, Inc.
1100 Wilson Boulevard, Suite 1425
Arlington, VA 22209

John P. Janka
Jeffrey A. Marks
Latham & Watkins, LLP
555 Eleventh Street, NW, Suite 1000
Washington, DC 20004
*Counsel for Inmarsat Ventures and
Inmarsat Global Limited*

/s/

Donna M. Crichlow